

803 KAR 2:500. Maritime employment.

RELATES TO: KRS 338.015, 29 C.F.R. 1915, 1917, 1918, 1919

STATUTORY AUTHORITY: KRS 338.051(3), 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to promulgate occupational safety and health administrative regulations. 29 C.F.R. Parts 1915, 1917, 1918, and 1919 establish federal requirements relating to maritime employment. This administrative regulation establishes maritime employment standards to be enforced by the Department of Workplace Standards in the maritime industry.

Section 1. Definitions. (1) "Administration" means the Kentucky Labor Cabinet or Department of Workplace Standards.

(2) "Assistant secretary" means Secretary, Labor Cabinet, or Commissioner, Department of Workplace Standards, Labor Cabinet.

(3) "C.F.R." means Code of Federal Regulations.

(4) "Employee" is defined by KRS 338.015(2).

(5) "Employer" is defined by KRS 338.015(1).

(6) "U.S. Department of Labor" means U.S. Department of Labor or Kentucky Labor Cabinet.

Section 2. Except as modified by the definitions established in Section 1 of this administrative regulation, the maritime industry shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Services, General Services Administration:

(1) 29 C.F.R. Part 1915, revised July 1, 2016, relating to occupational safety and health standards for shipyard employment;

(2) 29 C.F.R. Part 1917, revised July 1, 2016, relating to maritime terminals;

(3) 29 C.F.R. Part 1918, revised July 1, 2016, relating to safety and health regulations for longshoring;

(4) 29 C.F.R. Part 1919, revised July 1, 2016, relating to gear certification; and

(5) The revisions to 29 C.F.R. Part 1915 as Published in the January 9, 2017 Federal Register, Volume 82, Number 5. (16 Ky.R. 720; eff. 12-15-1989; 20 Ky.R. 646; eff. 11-8-1993; 2727; eff. 5-11-1994; 21 Ky.R. 122; eff. 9-12-1994; 2280; eff. 4-20-1995; 22 Ky.R. 1151; 1474; eff. 2-12-1996; 2070; eff. 7-5-1996; 23 Ky.R. 1746; eff. 12-13-1996; 3955; eff. 7-17-1997; 24 Ky.R. 1161; eff. 1-12-1998; 2160; eff. 7-13-1998; 25 Ky.R. 2465; eff. 6-16-1999; 26 Ky.R. 655; eff. 11-15-1999; 27 Ky.R. 2903; 3250; eff. 6-8-2001; 29 Ky.R. 2357; eff. 5-15-2003; 31 Ky.R. 1736; eff. 7-1-2005; 32 Ky.R. 563; 878; eff. 12-2-2005; 33 Ky.R. 1141; 1531; eff. 1-5-2007; 3072; eff. 6-1-2007; 34 Ky.R. 2050; eff. 5-2-2008; 35 Ky.R. 1912; eff. 5-1-2009; 36 Ky.R. 184; 594; eff. 10-2-2009; 37 Ky.R. 161; eff. 10-1-2010; 38 Ky.R. 118; eff. 10-7-2011; 38 Ky.R. 2046; eff. 8-31-2012; 40 Ky.R. 166; eff. 10-4-2013; 2852; eff. 9-5-2014; 42 Ky.R. 2978; eff. 9-2-2016; 43 Ky.R. 1685; eff. 6-2-2017.)